(EMB-7337)
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Our File No. 1967-001

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON DIVISION

INTERACTIVE MEDIA ENTERTAINMENT AND GAMING ASSOCIATION, L.L.C., a limited liability corporation of the State of New Jersey, *Plaintiff,* -vs- ALBERTO GONZALES, Attorney General of the United States, THE FEDERAL TRADE COMMISSION and THE FEDERAL RESERVE SYSTEM, *Defendants.*	: : : : : : : : :	CIVIL ACTION Case Number 07-2625 (MLC) NOTICE OF MOTION PURSUANT TO F.R.Civ.P 65 AND L.R.Civ.P. 65.1 FOR PRELIMINARY INJUNCTION AGAINST ENFORCEMENT OF 31 *U.S.C.* §5361, *et seq.,* OR ADOPTION OF REGULATIONS.

TO: Christopher J. Christie, Esquire
United States Attorney, District of New Jersey
970 Broad Street, Room 700
Newark, NJ 07102
Attorney for Defendants

Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue N.W.
Washington, D.C. 20551

Alberto Gonzales, Attorney General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dockets.Justia.com

Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

PLEASE TAKE NOTICE, that a date and time to be set by the court and as soon thereafter as counsel may be heard, before the Hon. Mary L. Cooper, U.S.D.J., at the United States District Court, Clarkson S. Fisher Federal Building and U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, the undersigned, attorneys for Plaintiff, Interactive Media Entertainment and Gaming Association, L.L.C., will move before the United States District Court for the District of New Jersey, Trenton Vicinage, for an Order:

1. Issuing a Temporary Restraining Order preventing the Defendants, or each or all of them, jointly, severally or in the alternative, from enacting and/or enforcing any and all provision(s) of the Unlawful Internet Gambling Enforcement Act, 31 *U.S.C.* §5361, *et seq.,* until further order of the court; and,

2. Issuing a Temporary Restraining Order preventing the Defendants, or each or all of them, jointly, severally or in the alternative, from proposing, publishing, or adopting any regulation, rule, statute, law and or any other procedure for enforcing any and/or all of the provision(s) of the Unlawful Internet Gambling Enforcement Act, 31 *U.S.C.* §5361, *et seq.,* until further order of the court; and,

3. Requiring the Clerk of the District Court to set the Cause down for hearing as to why the Unlawful Internet Gambling Enforcement Act, 31 *U.S.C.* §5361, *et seq.,* should not be declared unconstitutional in its entirety.

In support of this motion, Plaintiff will rely upon the accompanying Certification of Edward J. Leyden, Executive Director, Certification of Signature, Proof of Service and Brief in Support of Motion for Issuance of Temporary Restraints. Oral argument will be determined by the court in accordance with the standing orders adopted by the court. This matter is not submitted under Appendix N of the Local Rules of Civil Procedure. A proposed form of Order is enclosed.

Dated: July 10, 2007

Philip G. George, Esquire (PGG-8129)
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